

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

VICTORY'S DAWN, INC.; and GAYLE  
MORRISON AND WILLIAM M.  
CLEMONS, JR., AS TRUSTEES OF THE  
FIFTH AMENDED AND RESTATED  
CLARENCE A. CLEMONS FAMILY  
REVOCABLE TRUST,

*Plaintiffs,*

v.

CLARENCE ANICHOLAS CLEMONS III  
and BIG MAN'S WEST LLC

*Defendants.*

Civil Action No. 3:21-cv-9744

**REQUEST FOR ENTRY OF DEFAULT**

**PLEASE TAKE NOTICE** that pursuant to Federal Rule of Civil Procedure 55(a), and upon the Declaration of Brett Van Benthysen and the exhibits attached thereto, Plaintiffs Victory's Dawn, Inc., and Gayle Morrison and William M. Clemons, Jr, as Trustees of the Fifth Amended and Restated Clarence A. Clemons revocable Trust Broadway Holdings VI, LLC, ("Plaintiffs") by and through their undersigned attorneys, hereby request that the Clerk of the Court enter default against Defendants Clarence Anicholas Clemons III ("Nick") and Big Man's West LLC ("BMW")(collectively, "Defendants") for Defendants' failure to plead or otherwise defend against Plaintiffs' Complaint, which was served on Defendants on April 29, 2021.

Dated: New York, New York  
June 16, 2021

REITLER KAILAS & ROSENBLATT LLC

By s/ Brett Van Benthysen  
Brett Van Benthysen  
885 Third Avenue, 20<sup>th</sup> Floor  
New York, New York 10022  
(212) 209-3050  
*Attorneys for Plaintiffs Victory's Dawn, Inc., and*

*Gayle Morrison and William M. Clemons, Jr, as  
Trustees of the Fifth Amended and Restated  
Clarence A. Clemons revocable Trust Broadway  
Holdings VI, LLC*

**CERTIFICATE OF SERVICE**

I hereby certify that on this 16th day of June 2021, I electronically filed the Request for Entry of Default and Declaration of Brett Van Benthysen with the Clerk of Court via the CM/ECF system. The filed documents were also served on Defendants Clarence Anicholas Clemons III and Big Man's West LLC ("Defendants") by mailing the foregoing papers at the following addresses enclosed in a first class postpaid wrapper, in a post office or official depository under the exclusive care and custody of the United States Postal Service within the state:

Clarence Anicholas Clemons III  
63 Merritt Avenue,  
Neptune City, NJ 07753

Big Man's West LLC  
63 Merritt Avenue,  
Neptune City, NJ 0775

Big Man's West LLC  
c/o Beth Golub-Fromkin,  
5138 NW 109th Terrace  
Coral Springs, FL 33076

Dated: June 16, 2021

s/ Brett Van Benthysen  
Brett Van Benthysen